
Weapons and Other Legislation Amendment Bill 2012

Erratum to Explanatory Notes

Title of the Bill

Weapons and Other Legislation Amendment Bill 2012.

Reasons for Erratum

The erratum is necessary to correct an error in the Explanatory Notes to ensure they properly reflect the content of the Bill.

Policy Objectives

Page 18 Replacement of paragraph

The objective of the erratum is to replace paragraph two of clause 20 (Replacement of s 140) of the Explanatory Notes to the Weapons and Other Legislation Amendment Bill 2012. Paragraph two of clause 20 currently states that *'The new s 140 provides that an authorised officer may give written notice to an approved pistol club to provide particulars of all weapons held in stock by the licensed dealer as at 12 am on the day the notice was given. An approved pistol club has 28 days to comply with a requirement of the authorised officer under s 140(1).'*

The information does not accurately reflect the provision in the Bill. Clause 20 of the Bill refers to the giving of a report by the representative of an approved pistol club to an authorised officer.

Achievement of Policy Objectives

Page 18 Modification of clause number 20

The Explanatory Notes provide that clause 20 of the Bill achieves the policy objective of reducing red tape around legitimate firearms ownership by allowing an authorised officer to give written notice to an approved pistol

club to provide particulars of all weapons held in stock by the licensed dealer as at 12 am on the day the notice was given.

The reference requiring an *approved pistol club to provide particulars of all weapons held in stock by the licensed dealer as at 12 am on the day the notice was given* is removed from clause 20 of the Explanatory Notes and replaced with the following:

'The new s 140 provides that an authorised officer may, by written notice, require the representative of an approved pistol club to provide an annual report. A representative of an approved pistol club has 28 days to comply with a requirement of the authorised officer under s 140(1).'

The amendment achieves the policy objective of the Weapons and Other Legislation Amendment Bill 2012 by removing the legislative requirement on approved pistol clubs to provide an annual report to an authorised officer by 31 August of each year.

Notes on Provisions

Clause 20 Replacement of paragraph 2

The Explanatory Notes provide that clause 20 replaces section 140 (Approved pistol club to give annual report), renaming the section ***Approved pistol club to give report about members*** to better reflect the new nature of the section. Clause 20 removes the onus on approved pistol clubs to provide an annual report to an authorised officer by 31 August of each year.

Paragraph two of clause 20 is removed and replaced with the following:

'The new s 140 provides that an authorised officer may, by written notice, require the representative of an approved pistol club to provide an annual report. A representative of an approved pistol club has 28 days to comply with a requirement of the authorised officer under s 140(1).'

20. Replacement of s 140 (Approved pistol club to give annual report)

Clause 20 replaces s 140 and renames it *Approved pistol club to give report about members* to better reflect the new nature of the section. Clause 20 removes the onus on approved pistol clubs to provide an annual report to the authorised officer.

The new s 140 provides that an authorised officer may, by written notice, require the representative of an approved pistol club to provide an annual report. A representative of an approved pistol club has 28 days to comply with a requirement of the authorised officer under s 140(1).

Clause 20 inserts a maximum penalty for failing to comply with a written notice. The maximum penalty is 60 penalty units. This penalty is consistent with the previous penalty.

21. Amendment of s 141 (Show cause notice)

Clause 21 amends s 141(1) to provide that where a representative of an approved pistol club fails to comply with a requirement under s 140, the authorised officer may give the approved pistol club a show cause notice.

This amendment is a machinery amendment to support the amendment in clause 20.

22. Amendment of s 142 (Right to apply for review of decisions)

Clause 22 amends s 142(1) of the Act to provide that a decision made under s 18D(2) by an authorised officer to revoke a delegation is able to be reviewed.

23. Amendment of s 168B (Amnesty declaration)

Clause 23 amends s 168B(3) to extend the protection under a firearms amnesty declared under s 168B to a person committing an offence under s 50A (Possession of unregistered firearms) where the person is acting within the scope of, and in compliance with, the terms of an amnesty declaration.